

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JULY 3, 2000 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chairperson Shoecraft; Council Members: Camp, Cook, Fortenberry, Johnson, McRoy, Seng; Paul A. Malzer, Jr., City Clerk;
The Council stood for a moment of silent meditation.

READING OF THE MINUTES

COOK Having been appointed to read the minutes of the City Council proceedings of June 26, 2000, reported having done so, found same correct. Seconded by Fortenberry & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

STATE OF THE CITY ADDRESS

Mayor Don Wesely presented his State of the City Address; a copy of his address is on file with the City Clerk's Office in the 2000-01 Budget File.

PUBLIC HEARING

APP. OF LANCE BROWN DBA STUDIO 14 FOR A CLASS I LIQUOR LICENSE AT 1415 "O" ST. - Mike Rierden, 645 "M" St., Suite 200, representing applicant, took oath: Lance is right exactly behind me today if you have any questions of him. The application is for a Class I Liquor License. It's in the old State Theater building. Mister Brown is attempting to utilize much of the theater as it exists today including the screen. The main floor will be a large dance area with seating. I believe the application is compliant with all of the rules & regulations set forth in the Nebraska Liquor Control Act. Mister Brown has not yet attended the Hospitality review or, I'm not sure what that's called but, in any event, he is waiting until he has all of his employees hired & he wants all of his employees to go through that program. So, with that, I'd attempt to answer any questions. And, again, Mr. Brown is here in case you might have any questions of him.

Jonathan Cook, Council Member: I have a question about information here. It says number of employees full-time, zero, parti-time, 35? Are there no full-time employees at this establishment or am I misunderstanding?

Lance Brown, no address given, applicant: The reason why we put that was because we're only open Wednesday thru Saturday from 7 p.m. to 1 a.m. so if you add up all...even if one of my employees work the entire schedule it still doesn't come to 40 hours. So their pretty much all going to be considered part-time except for myself.

Mr. Cook: Okay. So, my concern was consistency but okay. Thank you.

Annette McRoy, Council Member: Mister Brown, I'm looking at your application. It says you have no employment history. And then you have no experience to liquor license, previous experience, so are you bringing in any management team in place that has previous experience because...

Mr. Brown: Yes. As far as the no employment history, that's because I've been a student for the past 7 yrs. & I've also played for the University of Nebraska Football Team & so with NCAA regulations you cannot work if you are on scholarship so that's the lack of employment. And then also with the bringing in someone who does know, we have a correspondent from Omaha, Nebraska who is one of our investors who will also do a lot of on-hands type decision making with me. He will help me out in that aspect & he's had...I believe he's 48 yrs. old & he's been in the bar business since he was eighteen.

Ms. McRoy: Now, is that going to be a consultant on-site or is he just going....

Mr. Brown: No, he'll be a consultant if I need questions, I will get in touch with him.

Ms. McRoy: But the day to day operations of the business will be up to you & your staff?

Mr. Brown: Yes.

This matter was taken under advisement.

APP. OF ELLEVEN CORP. FOR A SPECIAL DESIGNATED LICENSE (SDL) TO COVER AN AREA

MEASURING 120' BY 70' TO THE SOUTH OF THE NBC CENTER BUILDING AT 1248 "O" ST. ON JULY 7, 2000 FROM 4:00 P.M. TO 7:30 P.M. - Doug Wismer, Treasurer of Updowntowners, no address given: Updowntowners is an organization who will benefit from the approval of this application. Updowntowners is in its 16th year. It has nearly 200 members. Our mission is to exist to enhance the vitality of Downtown Lincoln through the production & support of social & cultural events. As you probably know, we co-sponsor or sponsor Jazz in June, a Night at Jazz in June, the Haymarket Heydays, July Jamm, & the Star City Parade. We have, as I said, nearly 200 members. Most of those are in their 30's to 50's. Most of them are professional people who work Downtown. We are putting on what we call A Party on the Plaza. These were put on in the late 1980's or early 1990's as part of our organization. And we ask that it be continued again. It's a social event for our members. It'll be this Friday, July 7th, starting from 4 p.m. to 5 p.m. to set up & then from 5 p.m. to 7:30 p.m. actually having the event. It's at the NBC Atrium lobby & a small area outside that's bounded by the sculpture that's in front of the entrance. The Eleven will be providing the liquor through their liquor license & they're applying to extend it downstairs to the first level. The actual bar itself will be inside the lobby as well as hors d'oeuvres. The area will be cordoned off by a fence & we'll have a gate at 13th & "O" that will only be for our members & their guests. And we expect 60 to 75 people. I would hope you would approve this application. I think that Updowntowners has been a responsible party carrying on particularly the July Jamm for 9 yrs. now. I'd be available to answer any questions.

Jerry Shoecraft, Council Chair: I have a particular concern in regards to the outside area. From a public perception standpoint, I don't think that would look good especially in the area of 13th & "O" if the area's not roped off or sealed or somehow in regards to drinking outside on the outside of business so I'm not supportive of that.

Mr. Wismer: It will be cordoned off with fencing. The fencing is something we use at July Jamm. It actually has Updowntowners on it. It's a mesh that will keep the public out. It's only for our members. Like I said, none of them are under 21. It's something that has been done a long time ago before this Council has sat, in the late 80's, 1990's or excuse me, early 1990's. And there were over 200 members that came to these. Some of these were actual events that helped some organizations with fund raising. But it will be a social event for our members. Like I said, we're a responsible organization & we'll conduct ourselves accordingly. But I understand your concern, Mr. Chair.

This matter was taken under advisement.

AMENDING SEC. 2.76.160 OF THE LINCOLN MUNICIPAL CODE (LMC) TO PROVIDE THAT THE DIRECTOR OF PERSONNEL, WITH THE MAYOR'S APPROVAL, MAY GRANT EMPLOYEES IN PAY RANGES PREFIXED BY "E" OR "M" PERMANENT SALARY INCREASES WITHIN THE EMPLOYEE'S PAY RANGE OTHER THAN ON AN EMPLOYEE'S NORMAL ELIGIBILITY DATE WHEN THE EMPLOYEE'S DEPARTMENT HEAD PRESENTS WRITTEN EVIDENCE OF UNUSUAL CIRCUMSTANCES - Georgia Glass, Personnel Director: Just to remind the Council, the "M" Class employees are managers. These are department managers & division heads directly below the level of director. It also includes all of the City Attorney's as well as Police Captains & Deputy Fire Chiefs. I think the overall spirit that I think is important behind suggesting this change to the Code is that I think it's important that we look at the "M" Class employees as career professionals & that we need some flexibility in granting raises so that we can stay competitive & that when we recognize internal inequities in pay that we can take some action to correct those. As you know, right now, the only time a pay raise can be given is on the employees anniversary of hire basically. This would not allow us to give an employee more than one raise a year. It would allow us to not necessarily have to wait until that employee's eligibility date. But with the approval of the Mayor to grant an increase, which would then change their eligibility date so it would still be a whole year before they would be eligible for another pay increase.

This matter was taken under advisement.

VACATING A PORTION OF THE S. 11TH ST. ADJACENT TO LOT 2, VAN BOSKIRK ADD., GENERALLY LOCATED AT 11TH & B STS. - Lori Yoakum, no address given, Everett Neighborhood: You should've been sent a letter from Bill Wood of Everett Neighborhood Assoc. We are opposing this. I would also like to talk to you about this just as a neighbor of this property. I'm concerned about the safety of the elementary children that go to school across the street from that. In the Planning Commission meeting, they did oppose it & they recommended opposing this. Patty Newman did quote from a pedestrian safety study that she had. She had done some numbers which I

think were pretty significant. There is public parking that is on the lot directly to the south of this business. That parking was put in there when Everett was a junior high not a grade school. Now that it's a grade school, I think it's changed the picture of how the parking should be. I really don't think it's safe for any additional parking to be allowed there at all.

Ken Winston, 1915 "D" St.: I'm with the Near South Neighborhood Assoc. & we're taking a position in support of the Everett Neighborhood Association's position which is in opposition to this. We're concerned about the same things that Ms. Yoakum just talked about which is that we've got a...there's possible negative impacts for the children that go to school there. We're also concerned about the possibility of some kind of a precedent being set there due to the fact that this is a historical neighborhood & this is...I don't have all the information on this but as I understand it, that particular street has...is extra wide & there are setbacks there that are unusual for older neighborhoods & we're concerned about having that precedent be set of vacating that particular area & so there's a concern about that kind of precedent. And as well, we're also concerned about the other problems of what has happened there in the past. And, once again, I don't have all the information. I think Ms. Yoakum probably can talk about that or someone else could probably address that more in full. But really some concerns about what's happened there in the past & there may be some better...some potential alternate uses of that area of that particular site & we welcome the developer or the person who's looking at it look at that instead. So, with that, I'd be glad to answer questions if anyone has any.

This matter was taken under advisement.

VACATING A PORTION OF N. 18TH ST. BETWEEN "Q" & "R" STS. - Jonathan Cook, Council Member: I have a few questions for Public Works about this but I think Alan Abbott might...that's why I wanted to catch him...I don't know if he'll be back for the public hearing today but when they get some questions answered before our vote next week.

This matter was taken under advisement.

VACATING A PORTION OF "E" ST. FROM THE WEST RIGHT-OF-WAY LINE OF S. 27TH ST. TO A LINE 145' WEST THEREOF - Ken Winston, 1915 "D" St.: Appearing on behalf of the Near South Neighborhood Assoc. I suppose I should indicate I'm a member of the Near South Neighborhood Assoc. I'm not a paid lobbyist or anything of that nature. And so, sometimes when you say you're appearing on behalf of, I realize when you're an attorney that takes on different connotations & so just want to make that clear. Our concerns about that area are...we have a number of concerns about that area. Although it's outside of our neighborhood, it's right across the street from our neighborhood. The concerns that we have are, for one thing, if you think about what that corner is like, three sides of that are...have a high aesthetic level. I mean you've got the Sunken Gardens on one side. On the east side of 27th St. you've got the Retired Teachers Fountain. And then on the northeast side, you've got the sign that indicates Welcome to Woods Park Neighborhood. And then on that corner, while it may not be the highest aesthetic level at the present time, we don't believe that adding a fast food restaurant to that area would improve it in any way. Then, secondly, I guess the next thing that we're concerned about is traffic. Now, anyone who's familiar with that area knows that there's a lot of traffic on 27th St. A lot of traffic on Capital Parkway. It's an area where things get backed up on 27th St. particularly between the hours of 5 & 6 o'clock. And if you are trying to do business with one of the businesses in that area, if you go to either...well, in particular, the businesses on the west side of the street, if you're going to Ideal Grocery or the new Ace Hardware in that area, you'll find that you have a terrible time often times getting back out onto the street after you've frequented one of those places if you bought your groceries or if you stopped to get some hardware supplies or something of that nature. Adding a fast food place there would multiply all of those kinds of things &, in addition, there are pedestrian. There's quite a bit of pedestrian traffic in that area. Now I know that there's a certain amount that goes underneath the street on...there's a bike path that goes underneath Capital Parkway. There's still a lot of people that cross the street on foot & it's a wide street to cross & it would increase the amount of danger for the pedestrians to have additional motor traffic in that area. So, we believe that there's a lot of issues & a lot of reasons why that should not be approved & that it's a bad idea for this particular location & we would ask that you follow the recommendation, the unanimous recommendation, I might add, of the Planning Commission & deny this

application. Thank you.

Dick Patterson, no address given, Woods Park Neighborhood Assoc. President: You have not heard from us on this because we didn't know anything about it. I don't know why that is. I'm going to find out. But I got a call from Jon Carlson last evening. This morning I met with several people from our Board & as Mr. Winston has just said, we're really very much against that. He's already addressed the traffic. I absolutely am kind of dumbfounded how anyone would think they could operate in there because you're coming in in one small lane of traffic & would have to come back out into the same lane. And as I'm visualizing fast food places most of them are on a corner or some place where you can have access around through different ways. There's nothing there. You'd have to come in &, as he said earlier, incredibly heavy traffic, particularly during the supper hours when people would want to go to a fast food restaurant. One of our biggest issues is that that's been...the intersection has been an open concept by both areas of the park & it looks good. It has an aesthetic feel to it. Well, we lost a lot of that when we got the huge billboard up there & which members of our Neighborhood Assoc. sincerely hope that sometime, & it may take years, that we can get that down. But what we certainly don't want is a small...any sort of business that there's more signage in there that takes away from the beautiful feeling of that park. I'm also concerned because I've lived down there for a long time & fast food has a very dismal record in that end of town if you just remember some of the places there. The Dairy Queen - out of business. The Waldo's took a stab at it - out of business. Now, it's a morning coffee shop with kind of marginal business. Even up on "O" St., Hardee's - out of business. Taco Inn, same place - out of business. Burger King, struggling, but they've closed two other restaurants which helps them but I know the management & they have a struggle. So, this may be kind of a long shot but I'm always concerned, particularly in older neighborhoods when you get a building put in & then if it doesn't go, what goes in. Right down the street we recently had a small shirt & jacket business close. What's in there now is something called Bullets & Blades, Swat Team paraphernalia. Now, this seems like kind of a long shot but I've lived long enough & looked at that sort of stuff, I know that's what happens. And when you get something & I just can't see...& I was in food business for a number of years...I cannot see how anybody could work out of that little corner & think that's going to go. But I think our biggest concern is that there, again, more signs, more taken away from the parks & just think that...the Neighborhood Assoc. just thinks it's a very poor idea. Thank you.

Glen Cekal, 1420 "C" St.: I was unaware of this idea of developing the property as has been laid out. Everything that's been said against this I agree with. It's a shame that something like this even has to waste the time of the City. It should've never been submitted. Maybe that's not possible. But it's a very dumb idea. It is not aesthetic. It's an extreme traffic hazard. It's not the highest & best use. It doesn't blend in with what's already there & should be encouraged to be there or further improvement of the area. And so, I want to compliment the people that spoke before me as to their objections because I think they were very clear & complete. Thank you.

Mike Morosin, 2055 "S" St., Past President of Malone Neighborhood Assoc.: In one area of contention I think that really hasn't been brought up, that's a floodplain down through there. And I think what is the consideration going to be on the floodplain? We're crowding the floodplain now & it's such a narrow corridor that we're going to put the water down through there with all the buildings. So, I think we should take a look at that. And the previous objections that've been raised are very valid. But I think also the floodplain problem is a very valid one. Any questions? Thank you.

This matter was taken under advisement.

CHANGE OF ZONE 3261 - APP. OF THE PARKS & REC. DEPT. FOR A CHANGE FROM R-3 RESIDENTIAL TO P PUBLIC USE ON PROPERTY GENERALLY LOCATED AT N. 14TH & SUPERIOR STS. - Lynn Johnson, Interim Director of Parks & Rec.: This is, essentially, a housekeeping item. This is Keech Park & the Eisley Library site. And, essentially, it's changing it from residential zoning to public zoning. And I'm available for questions.

This matter was taken under advisement.

CHANGE OF ZONE 3262 - APP. OF THE PARKS & REC. DEPT. FOR A CHANGE FROM R-1 RESIDENTIAL TO P PUBLIC USE ON PROPERTY GENERALLY LOCATED ½ MILE NORTH OF PINE LAKE RD. & WEST OF S. 14TH ST. - Lynn Johnson, Interim Director of Parks & Rec.: This is Densmore Park. And this is, again, the same issue. It's

a housekeeping item & it's changing residential zoning to public zoning on this piece of public property.

This matter was taken under advisement.

AMENDING SEC. 26.11.010 OF THE LMC TO ALLOW SURPLUS PROPERTY TO BE CONVEYED TO THE ABUTTING PROPERTY OWNER WITHOUT BEING REQUIRED TO COMPLY WITH THE OTHERWISE APPLICABLE REQUIREMENTS OF THE SUBDIVISION ORDINANCE - Lynn Johnson, Interim Director of Parks & Rec.: What this {break in tape} it makes sense to adjust for maintenance reasons. This allows that to be done relatively easily because under the current subdivision code, that parcel or that piece that's created by transferring it to the adjoining property owner has to meet current subdivision regulations. So, in specific instances, this would allow for pieces of publicly owned property to be transferred to the adjoining property owner without meeting all of the applicable subdivision codes & we have a couple of park sites that we're looking at right now where for maintenance reasons it makes more sense for the adjoining property owner to maintain either retaining walls or slopes as part of their property rather than the City continuing to maintain it. So, that's why this item is coming forward at this time.

Mr. Cook: Is there any kind of limit here or what if, & there's been community concern about this so maybe this sort of thing won't be likely to happen we can hope but if we wanted to sell a whole park, & there was an adjoining property owner that took control of that but it was say commercial or something, would this make any significant difference? Could we...I guess that I'm not sure what the process was before. As soon as we transferred it, they had to...before they could make use of it, they had to come in & put in...bring us a plat or...

Mr. Johnson: Essentially, that's correct. If a piece of property was to be attached to an adjoining piece of property, it had to be subdivided. That piece of property had to comply with the subdivision regulations but before it could be attached or sold to the adjoining property owner. We do this same kind of thing & there is a provision in the code for along the MoPac Trail. There have been pieces along the MoPac right-of-way that've been transferred to the adjoining property owner & this just sort of broadens that perspective to include park sites.

Mr. Cook: So, if in some circumstances we feel it's appropriate though that the subdivision ordinance apply, can we make that decision at the time we say decided to declare the land surplus or how do we...the option is still there to treat it just as we did before this change?

Mr. Johnson: It is. And I think that would be the intent. This is just for...for instance, on Highlands South Park, this strip is 10' wide. And there are about 60 property owners involved out there & it was much easier just to attach those to the adjoining lots then create 60 new lots & then attach those. And so, I think this is something we'd want to use very judiciously because, generally, we want those lots...if we are creating new developable lots, those need to comply with the subdivision & zoning ordinances.

Jon Camp, Council Member: Yes, Lynn, I have a question or our City Attorney may need to advise on this as well that I'm trying to think ahead as Councilman Cook was. Would we be opening a sit...or creating an opportunity down the road if we had an abandonment or conveyance of surplus property & it could be a larger tract & it went to an adjacent commercial owner, as I read the language, that this isn't just limited to the park but this would also apply to other surplus property & I suppose, conceivably, you could have something declared surplus of a larger size that might ordinarily be subject to a subdivision rules & so forth. And, perhaps, I think I heard you say Jonathan about the idea of size or something. Is that something we'd want to put in? Because I think you're intent, as I understand it, is for smaller pieces of property.

Mr. Johnson: Exactly. And that is the intent & I'm looking to Dana & seeing whether we've got a provision in there that would make sure that we don't have inappropriate use of this ordinance.

Dana Roper, City Attorney: First of all, the land has to be declared surplus by the City. And so, we're going to make that decision at that time, I would assume in the normal course of events. And if we decide & what we do with the park is going to depend on how we acquired each park. Some of these parks cannot be conveyed out. We're not going to be able to just say well, this is surplus now & let's get rid of it. If the gift to us has restrictions on it, we're going to have to honor those so that decision is going to have to have been made before we get to the point of reaching the surplus declaration. What this does is to clear up the subdivision requirements. Any time you create a new parcel of land or you add to it, you need a subdivision permit. Well, we have a park

here, a linear park, with a great number of lots that adjoin it. It didn't make sense to have each one of these people have to go through & get a subdivision for something that we wanted & I think they wanted & to bog down planning. So, this is an ordinance that I think has some limited use & I suspect you'll probably never see any application of it again for another two or three years. It's just not something that's going to be used that often.

Mr. Camp: I think in summary then you're saying you feel there are adequate safeguards there so that we can proceed on it.

Mr. Roper: Yes, I do.

Annette McRoy, Council Member: Lynn, there's some areas we have parks that abut personal property but they're not well maintained because there may be...I'm thinking of the park up in Belmont I worked on last summer & we vacated a strip of that. Now, in instances like that, this would be good use of surplus because we're not really utilizing it as active park land but it still belongs to the Parks & Rec. Dept. You know that 10' could be declared surplus & we could get it to the people who are actually taking care of the maintenance on it. So, I can see this might be a good thing, for instance, where we're not doing, you know, heavy maintenance maintaining areas that are very small that aren't actively used as park land where we could declare a certain amount of that surplus so that they could go ahead & maintain it for us & it would cut down on your budget as far as how often you get out there & the complaints that we get that we're not maintaining these linear strips just because of priority, not because we don't care but we don't have the manpower or resources to get out there as often as we'd like but if the homeowners already taking care of them then I can see where we could use this to kind of, you know, say you can have that 10' 'cause you're already taking care of it. And then that would...you know, that would help out on both sides as far as parks being maintained & homeowners would be happy.

Mr. Johnson: I think that's exactly true & I know Porter Park, for example, we're going to see another request coming in & the lots slope like this. When the lot boundaries were set up there, nobody knew what that boundary was going to be like. Now we know what that grade is like & it may make sense to transfer ownership. And this gives us a tool to be able to do that readily. And I would agree with Dana. I think that we'll be very careful & judicious about how we use this & not let inappropriate things occur with it.

Jeff Fortenberry, Council Member: Then perhaps this is a more appropriate question for Dana but, & I'm sorry if it was covered already, but Council action is required to declare property surplus anyway so I think that's the safeguard.

Mr. Johnson: Yeah, there's two steps in the process. Initially, the Planning Commission needs to determine that this surplus action is in compliance with the Comp. Plan & then, ultimately, it's the responsibility of the City Council to make a determination whether the City does want to dispose of the property.

Mr. Roper: The conveyance comes to you if we get that far.

Glen Cekal, 1420 "C" St.: I'm not sure this is appropriate to bring up at this time but I'll be brief. The thing that I appreciate what Councilman Cook & Camp brought up, I don't know if they were thinking about what I was thinking about the Boy Scout situation on the land out on Hwy. 2. To me, & this is nothing personal in any way, 'cause I think we've got a, basically, as fine a park system as there is but I know we can do better yet. And I think we're headed in that direction, thank you. But I don't like the idea of whether it's the park system or something other part of the City government, it wouldn't have to be parks, that wherein the City owns the land & somebody decides that on their own kind of that this is surplus property. Their intentions might be 100% but we all make mistakes. To me, one of the biggest fiascos that's ever happened was the property out with the Boy Scouts. And I can see how that happens. Having spent 30 yrs. in the real estate business, sometimes our eyes get bigger than our stomachs & we want to cooperate & help & we get ahead of ourself. So, I wish we could have it that no one can start talking about someone about surplus property until they've gone before the City Council so as we can avoid what we had happen because there was a lot of people hurt innocently & I don't think anybody really probably tried to do anything wrong on that but yet it really was bad. Thank you.

This matter was taken under advisement.

APPROVING THE APPOINTMENT OF LYNN JOHNSON AS DIRECTOR OF THE PARKS & REC. DEPT. -
Mr. Fortenberry: Well, perhaps I should've spoken during the voting session but I just wanted to congratulate you on this appointment assuming it'll go through & I have all the confidence that it will & wish you all

the best & think you're an outstanding choice to lead our community in this regard. Sorry I didn't get to say that at the pre-Council meetings recently but wanted to congratulate you & wish you the best.

Mr. Johnson: I appreciate it. I'm very much looking forward to this, working with the Council, the Mayor's office, the other departments & the community. Keep moving Lincoln Parks & Recreation ahead. So, I appreciate it very much.

This matter was taken under advisement.

SPECIAL PERMIT 494E - APP. OF WILLIAM GORDON, EDWARD LAST, & STEPHEN RAVITZ TO AMEND THE HARBOUR WEST C.U.P. TO ADD 10 MOBILE HOME UNITS, WITH ASSOCIATED WAIVERS OF DESIGN STANDARDS FOR REDUCED SPACING BETWEEN MOBILE HOME UNITS, REDUCED EXTERIOR SETBACKS, & LANDSCAPE SCREENING REQUIREMENT, ON PROPERTY GENERALLY LOCATED AT S.W. 11TH & W. PEACH STS. - J. D. Burt, Design Assocs., 1609 N St., Suite 100, representing Harbour West: The application before you is a minor expansion of an existing mobile home court. The area's approx. 2 1/4 acres. And, as Paul mentioned, we're proposing the addition of 10 home sites to the park. And with that, this is the second plan that we've had with this particular expansion. This plan before you includes both an extension of SW 11th to the north to accommodate future development to the north of our site as well as a street connection out to South St. which takes care of the concerns of Public Works & the Fire officials. Appreciate your support & I'd be happy to answer any questions.

Mr. Cook: I just want to say I appreciate your efforts in this regard. I know you've been at this a long time & went back to the Planning Commission twice. I think this latest plan is certainly superior & that it does give extra access for emergency vehicles & for the residents of the mobile home park & still provides additional lots & potential future access to the north if that ever were to happen. And I don't know that it is given what we've learned since but I appreciate your efforts very much.

Mr. Burt: Thank you very much. It's always nice to find the end of the tunnel.

This matter was taken under advisement.

SPECIAL PERMIT 1817 - APP. OF TIME WARNER TO CONSTRUCT A CABLE TELEVISION BUILDING, A WAIVER OF DRIVEWAY DESIGN STANDARDS TO REDUCE THE MINIMUM SEPARATION BETWEEN THE DRIVEWAY & THE WEST CURB LINE OF PROPOSED 84TH ST. FROM 55' TO 52', & A WAIVER TO THE DRIVEWAY DESIGN STANDARDS TO REDUCE THE MINIMUM DRIVEWAY WIDTH FROM 25' TO 18', ON PROPERTY GENERALLY LOCATED AT S. 84TH ST. & KARL RIDGE RD. - Mike Rierden, 645 "M" St., Suite 200, representing Time Warner: This is an application. This building will house new reception equipment for Time Warner as part of their upgrade. There'll be no noise generated. There'll be no odors or anything like that. It'll be a simple one-story building with a brick facade & a gabled roof. It will have plenty of landscaping as you can see by the landscaping plan. The neighbors in that particular subdivision have been notified & we've received their support. Know of no opposition. There wasn't any opposition at the time of the Planning Commission hearing. The Planning Department & Planning Commission are recommending conditional approval to you & we've agreed with all of the conditions. In fact, I think we've complied with all or will comply with all before the necessary time limits. With that, I'd attempt to answer any questions Council may have of me.

Mr. Camp: Mike, I had one question & that pertains to future growth & expansion of S. 84th Street. Would this, at some point down the road, have an impact on that right-of-way there if the City had to go to say a 6-lane?

Mr. Rierden: I don't believe so but maybe someone from Planning might want to comment on that also but all of the additional right-of-way has been acquired at that particular location & I think the buildings far enough off of the right-of-way that I don't think it'd be a problem in the future.

Rick Houck, Planning Dept.: The right-of-way in that location, on the west half of 84th St. is already 50'. That is sufficient to do most of the 4-lane improvements that may have to be done. The cable building itself is setback another 20' from the property line so if we were to go to the rural section which we have discussed at least of 140', there would be sufficient room in there to fit the building in although it would put the building directly on the property line. But there is sufficient right-of-way there or & land for any future expansion to go to 6-lane.

This matter was taken under advisement.

SPECIAL PERMIT 1843 - APP. OF LORA BELLE M. HANSON FOR AUTHORITY TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES, APPROVING A WAIVER OF THE DESIGN STANDARDS REQUIRING A MINIMUM SEPARATION DISTANCE OF 100' FROM A RESIDENTIAL DISTRICT OR RESIDENTIAL USE, & APPROVING A WAIVER OF THE DESIGN STANDARDS PROHIBITING DOORS FROM FACING RESIDENTIAL DISTRICTS WITHIN 150', AT 2620 STOCKWELL ST. - Dave Oliphant(?), 2800 Woods Blvd.: I'm representing as project manager for The Grape Vine for Lori Hanson, C.E.O. & for several others involved. And I'd like for Lori Hanson to stand please so you can identify with her. Also with us today is Duane & Linda Roth, owners of City Spirits. One other person asked me to introduce him today & his name is Jerry Mapes(?) but he's not here. He had a family reunion planned in Colorado & he wasn't going to go but after the Planning Commission on June 14th & things were approved, he felt like things were in place & he only asked that I give you a quick message: To the Ladies & Gentleman of the City Council & all attending, I have been a Lincoln businessman for almost 50 yrs. & feel that I have contributed in many ways to the preservation & enhancement of the good life in Lincoln. Having said that, I want you, the Council Members, to know that I am personally involved in this project & I can assure you that I will do what it takes to make this operation one that the neighborhood & the City would be proud of. Sincerely, Jerry Mapes." Did you all get the information packets that I sent you &, of course, the Planning Commission packets? Well, then you have a pretty good idea of what we're proposing there. All I'd like to say to you today is that we've brought this project along slow. We have not rushed into this. We've been at it since...well, the ideas been out since Fall but we've been at it since January. We first approached Linda at City Spirits & then went on to Pace Woods at Woods Brothers, contact with Linda Wibbels at the time was, I believe, Chairman or President of the Neighborhood Assoc. She gave us some good advice & opinions, some interior & exterior design that she thought would be nice. And I know she took it to the neighborhood association meeting. I called her a few days later & I asked her if there were any questions. There was no personal questions just some things the people asked of her that she wanted information from me about pertaining to hours of operation & things like that. And that's when we decided that we should put a letter out. And I believe the front letter of your packet was something like this explaining exactly what we're doing, our hours of operation. After really no questions, no calls, a couple weeks went by, we got an architect & went into the details of drawing it out. We handed out at least...handed or mailed out at least two or three hundred of these letters. Always with the same thing on it, please get back to me. We had no negative response. Just some questions pertaining...the same questions over & over, usually with hours. So, then we realized it was time that we take this to the Planning Commission because our liquor attorney had advised us that there was a special permit needed for this. So, I went down to the Planning Commission & let me tell you, John Bradley, Rick Houck, & that Planning Staff are wonderful people. They were a tremendous help to us. It was all new & foreign for me & I thank them very much for their help. I provided them with what they needed. At the June 14th meeting, there was no opposition. There was a letter in opposition pertaining to a particular individual worried about parking at Stockwell Pharmacy & overflow parking. On the last page of the 275 signatures that I've presented to you & I put it on the last page & the last name is Jack Davis, he's the owner of Stockwell Pharmacy & he's in favor of this. So, I just wanted to point out that her concerns were not in line with Jack Davis' concerns & that's not a problem. Being there was no opposition, we now have went into the phase of getting a hold of our furniture suppliers & our equipment suppliers & the carpet people & making deposits & taking care of things like that. As far as the slow approach & the mitigation of the doors, I think that there's some other people that would like to have your ears today & I will address you again in my rebuttal. I can only ask that, respectively, you support & approve the project that's in front of you.

Monte Pueppke, 3730 Pace Blvd., came forward & presented a statement in opposition to this Special Permit.

Coleen Seng, Council Member: Did you say that all of these yellow are opposed?

Mr. Pueppke: Right, right. There were a lot of people not home yesterday.

Ann Chaffin, 3725 Pace Blvd., came forward & presented a statement in opposition to this Special Permit.

Linda Roth, owner of City Spirits: Not in opposition to this. There's just one thing I want to clear up with the paper that the neighborhood had sent you is naming me as the applicant, City Spirits. It

is not. This is just sharing space with someone else that wants to come in under The Grape Vine. So, City Spirits is not applying for this. I just wanted to make that clear. Thank you.

Mr. Oliphant: Thank you, again, Council. The people that Mr. Pueppke & the Chaffin's are very nice people. I respect their concerns. I don't necessarily agree with them & I don't necessarily understand them but I do respect them. The suggestion that she made that I wrote out that we might agree to sign a legal document that would release any responsibility so that they could find a new owner if a new owner bought The Grape Vine. That was something that was suggested to me by Linda Wibbels who works for Pace Woods. I interjected it at the Planning Commission Meeting. The legal department said it couldn't be done. I'm not trying to sneak something through here. This was a suggestion by Mr. Woods who is the property owner, or not by Mr. Woods but by Linda Wibbels who works for him & I thought it was a good suggestion that's all. We want to protect that property. We live in that neighborhood too. The 275 some signatures you have in front of you are people that live in that neighborhood. I don't know what area these people recognize as a neighborhood but the Neighborhood Assoc. is quite large. I believe there's only one out-of-town signature on there & that's Judge Stanfelt(?). He's a proponent of this. He's a very good friend of Jerry Mapes. And he's always in that neighborhood, almost daily. The issues that've been brought to you concerning the 100 ft., as Mr. Pueppke said, that is truly 91'. The Planning Commission asked me to do a new survey of the parking lot. I did it, in my opinion, & my architects opinion as 93'. So, we're mitigating 7 to 10 ft. there. That's straight out from the building to be leased as The Grape Vine. On page 11 of your Planning Commission report, you will see some drawings that the Planning Commission asked me to do when I went down there to fill out the application & they were so helpful. I was aware of the 150'. So, in the drawing, I have no doors on the front or facing west or facing the neighborhood. The door entering The Grape Vine is over here on the south which faces Stockwell Pharmacy & the dermatologist. Apparently the Planning Commission didn't think that it was...didn't feel the door situation was out of line so they did not mitigate or suggest that I move the door. But I'm telling you with what we planned to do the outside, painting, landscaping, we're also buying a new door & we can put that door anywhere. And we'd be happy to put it wherever the Council, the Planning Commission, or the neighborhood wants. But once you move it basically around the corner because it currently is right here, once you move it around the corner, it's about 400' to the next residence. As far as the hundred foot, the 150' is just moving the door & that would be no problem. We'd be happy to do that. The hundred foot I can only go with what the Planning Commission has recommended & this isn't the first time that something has been mitigated & we're mitigating 7 to 10 feet here so I don't think we're in very serious violation of the zoning codes as they've already been mitigated before. The other concern that I've heard &, of course, I want you to know that we had no opposition so I didn't know about any of this until today so I certainly haven't had much time to prepare a rebuttal but some of the other concerns that I heard her & him say were the residential owners & their fences. And I see it on their letter here that they feel they own the...[break in tape]...where it's...the Grape Vine is proposed to be & that 100' mitigation, as you swing that line, & Mr. Pueppke said, his house is about 118' & he's at the end of our building but we're not at that end of the building. We're at the south end of the building & that first 100' of fence sits on a 2' hill which causes an 8' cover with a bunch of vegetation above it. So, that fence belongs to Pace Woods. It's maintained by Pace Woods & I will be responsible to maintain it. As far as any parking or vegetation the neighbors would like, or anything that we can do to make the screening better, we certainly are ready & willing & committed to you that we will do it. You know we have a lot of fine neighborhoods in this City. This is one of them. That's why we want to be there. We live there, we want to be there. But we have a bunch of fine neighborhoods. We got a fine city. We've got 70th & "A". There's three liquor licenses within 6 blocks of each other. By the way, Jax is 3,180' which constitutes 10 blocks. And that's the only other liquor license in that area. There's 48th & Hwy. 2, Cheerleaders, the Blue Heron & Southside Grill, three liquor licenses right together surrounded by residents. You've got 40th & Old Cheney. You've got Charlie's, Applebee's, which is a Neighborhood Bar & Grill, & Lancaster's. They have traffic problems. All those places have traffic problems. But, yet, they're excellent neighborhoods, excellent residents, & they deal with this. This is just a wonderful neighborhood. And the closing of this, I would like to say one thing, for you on the City Council that know Lori

Hanson & for you on the City Council that know Jerry Mapes, know what special people they are & their word is their bond. I ask that you approve this & I thank you for your time.

Ms. McRoy: This is the petition that you had people sign that were for the facility? Okay. I was reading through the paragraph for it & a lot of times when you sign a petition you quickly read through it & it only mentions the word "lounge" in the first sentence & the second paragraph it says "quiet operation & the needs there for a low-key place to relax & enjoy the finest selection of sandwiches & soups, etc." So, I guess if I was to sign this petition & I thought it was just another little sandwich shop, neighborhood sandwich shop, I'd be all for it not thinking that I was signing on for a place that was going to sell alcohol but that is somewhere I might run down the street to get, you know, a nice deli sandwich.

Mr. Oliphant: I don't have that in front of me but I think paragraph one reads into paragraph two. Paragraph one deals with the lounge. Paragraph two adds that we are also serving sandwiches.

Ms. McRoy: Right. But I guess a lot, you know, they said that people who had signed it originally wished they wouldn't have now they know it was going to be a place that has alcohol in it.

Mr. Oliphant: Everybody that signed that letter read the letter that's on the cover of your packets.

Ms. McRoy: So, they all knew exactly that it was a bar?

Mr. Oliphant: Everybody that signed that also saw the main cover letter that I showed you describing exactly what we were doing.

Ms. McRoy: So they knew that they were getting it signed for a bar & restaurant?

Mr. Oliphant: Right. Everybody that took those around or Linda in City Spirits, they had the cover letter right on it. That was the cover letter & then you picked it up & signed what space was available. So, the cover letter that you read with The Grape Vine logo on it describing exactly what we're doing was what you read first & then this is what you read second.

Ms. McRoy: Okay. I was just wondering if people actually knew what they were signing for.

Mr. Oliphant: Yeah.

Ms. McRoy: Okay. And I know Lori Hanson. She's a fine person.

Mr. Oliphant: Thank you, I think she is too.

Mr. Cook: Yeah a follow up on that cover letter, where was this petition signed by most of these people? At City Spirits or at some other location?

Mr. Oliphant: Can I quickly grab the cover letter?

Mr. Cook: Well, I've seen the Grape Vine cover letter here.

Mr. Oliphant: City Spirits would be the logical place. The neighbors live there. The customers of her from the neighborhood. She had a tremendous amount of signatures. I went out & probably got 60 signatures. I went after people like that I knew that were going to be there a lot like Jim Stewart from NCC, Stanfelt, the judge. I got some people that I know that are friends of Jerry's that are for this. So, & I went around & got their signatures. Jerry Mapes went to Bishop Square, the people living in Bishop Square & got some signatures from those people which, as you know, is just a few blocks up the street. We had a couple of other people that went out & took this cover letter & then copies of where you could sign & then just petitioned in that neighborhood, you know, the people that worked at Russ' IGA & so on & so forth that would enjoy a place to have lunch. See Jax only serves a buffet for lunch & Jax is a fine restaurant. It's a very elegant & gourmet fine restaurant but these people were got through the various efforts on our part.

Mr. Cook: Well, the reason I asked the question is that I have a hard time believing that if the petition is sitting out at a liquor store that people would necessarily read the cover letter & understand it. They may read just the item at the top of the petition & not everybody knows necessarily that a lounge means alcohol service so...

Mr. Oliphant: And I'm sure that possibility exists. But I'm sure that possibility exists on the letters that the opponents have passed out too that there's not a clear understanding of what they're actually being signing for.

Mr. Cook: Well, of course, then there's a difference though in that they went door-to-door, as I understand it, whereas this, in many cases, was signed by people who just saw it.

Mr. Oliphant: Probably 125 of those were door-to-door on our part.

Mr. Cook: Um, also would like to just mention regarding where the signatures are from because I went through them & there are 240 or so of them that I have a copy of here & fewer than 20% of those have addresses

that are within the Country Club Neighborhood Assoc. boundaries & that stretches it out down to Cedar & Ryans & if you take off...& Harrison, if you take off those & if you take off the adjoining businesses, you end up with a much smaller number still, maybe 10% of these signatures. So, I just want to note that that, in fact, most of these people do not live anywhere near this location. They may come to that liquor store or be friends of someone who would pass around the petition but I think that does need to be noted.

Mr. Oliphant: And I agree but I would like you to note that, as this project went along, it had no opposition. I'm confident & planned to do something, I could get a lot more signatures & still can & I could have a lot of people ready. I had no opposition. I didn't want you people to have to sit & look at a bunch of signatures & a bunch of people come down here today.

Mr. Cook: And I understand, I was under perhaps a mistaken impression that all of the adjoining properties had received letters but maybe only some of them received letters from you, The Grape Vine letter.

Mr. Oliphant: Well, The Grape Vine letter was mailed out to key people in the neighborhood that wanted a copy of what our proposal was so they could spread the word like Linda Wibbels & people that, you know, are involved in the Neighborhood Assoc. I sent copies to John Pattivina(?) & I sent copies to Mr. Pueppke. So, it was...& finding no opposition, I though the word was getting around. I though everybody was aware of it.

Mr. Cook: Well, I think there was a mistaken belief that more people maybe had seen this that all of the adjoining neighbors had been more aware than they were & that, of course, my not hearing opposition until more recently other than from a few people &, also, I think the Neighborhood Assoc. not hearing that opposition, the Neighborhood Assoc. didn't take a stand. And now that we see that there maybe are questions about some people not feeling that they were fully informed who lived nearby. As well as now, the question about the fence & the ownership of the fence. I know a portion of that is Pace Woods. I don't know, I guess I'd have to ask Planning if it's appropriate to have a fence that belongs to an adjoining property owner be the screening for this. So, there are just a number of questions. I guess what I'd just like to ask is are you willing to meet with these neighbors & the Neighborhood Assoc. at the next Neighborhood Assoc. Meeting to discuss this because there may be some things that can be worked out.

Mr. Oliphant: Sure, absolutely, be happy to.

Mr. Cook: Alright. I guess that's kind of where we are now because it may be that there are some misunderstandings about this. There may be some issues regarding the lease agreement & so on that can be worked out that would make people feel more comfortable. We'll just have to see but until we take that step, I don't feel comfortable about this.

Mr. Oliphant: (Inaudible).

Mr. Cook: The next regular Neighborhood Assoc. Meeting is July 18th & I did talk to the Neighborhood Assoc. President yesterday & he said he would be more than willing to help you make sure we get the neighbors there to make sure that they have a chance to talk about this more fully. So, I guess that if that's alright with you, I'd like to...

Mr. Oliphant: I'm here to do what the neighbors would like done that we can do for them & what the Council would like for us to do.

Mr. Cook: Okay. Well, I appreciate that. I'd make a motion we put this on Pending then & then when we hear back from the neighbors, we'll decide how to go forward.

Cindy Johnson, Council Member: Well, I'll second it but I want to ask some questions of Dana, if I could. Dana, when these zoning regulations were put together, they were put together to protect the neighborhood of any adverse affects that might come out of this. Existing licenses were grandfathered. What would it look like & I'm just being honest, if we were to deny this based on the fact that they do not meet the requirements of the 100' & the 150' but there's already an existing license there? Now, my understanding is, under the Liquor Laws, that we cannot separate on-sale & off-sale. We have to treat them both the same. How difficult would that be for us, as a City, to do that?

Mr. Roper: To separate between on-sale & off-sale?

Ms. Johnson: To say no to one when there's already a liquor license there.

Mr. Roper: The ordinance presents some legal problems for us & the distinctions present some legal problems. You're right.

Motion to place Bill 00R-178 on Pending carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

This matter was taken under advisement.

MISCELLANEOUS HEARING

Doug Boyd, no address given, came forward representing the Bahai Community of Lincoln, Nebraska requesting Council support the realization of the equality of women & men as you make your decisions & deliberations here in the Lincoln City Council; in making those decisions, hope you will take a little time & consideration that most of the poverty affects women & children; much of the violence that takes place in the world happens in the home & happens in situations that are difficult to address & resolve; in employment situations & a lot of situations with the elderly & with children, women's issues are very important in seeing that we maintain a high quality of life for throughout our lives.

Glen Cekal, 1420 C St., came forward expressing support for building permits for duplex properties; single-family & duplex properties cause more trouble than all the rest of the multiple rental units in the City; thanked Coleen for bringing Mr. Figard's attention to the sidewalks & infrastructure in the area that he lives, basically from 13th, 17th, "A" to "G" St.

These matters were taken under advisement.

ORDINANCES - 3RD READING

AMENDING SEC. 8.08.020 TO PROVIDE AN EXCEPTION TO THE REQUIREMENT OF A CERTIFICATE OF PUBLIC CONVENIENCE & NECESSITY FOR GOVERNMENT PROVIDERS OF SERVICE; AMENDING SEC. 8.08.090 TO PROVIDE ENFORCEABLE RESPONSE TIME VERIFICATION - PRIOR to reading:

COOK Moved to place Bill 00-115 on Pending.

Seconded by McRoy & carried by the following vote: AYES: Cook, McRoy, Seng, Shoecraft; NAYS: Camp, Fortenberry, Johnson.

CLERK Read an ordinance, introduced by Cindy Johnson, amending Chapter 8.08 of the LMC relating to the Ambulance Transportation Code by amending Sec. 8.08.020 to provide an exception to the requirement of a certificate of public convenience & necessity for government providers of service; amending Sec. 8.08.090 to provide enforceable response time verification; & repealing Secs. 8.08.020 & 8.08.090 of the LMC as hitherto existing, the third time.

AMENDING SEC. 2.20.010 TO PROVIDE THAT THE FIRE CHIEF HAVE CARE & CONTROL OF ALL EQUIPMENT & MANAGEMENT OF THE EMERGENCY MEDICAL SERVICES PROGRAM; ADDING A NEW SECTION NUMBERED 2.20.015 TO PROVIDE THAT EMERGENCY MEDICAL SERVICES & AMBULANCE TRANSPORT BE ASSIGNED TO THE FIRE DEPT. - PRIOR to reading:

COOK Moved to place Bill 00-116 on Pending.

Seconded by McRoy & carried by the following vote: AYES: Cook, Fortenberry, McRoy, Seng, Shoecraft; NAYS: Camp, Johnson.

CLERK Read an ordinance, introduced by Cindy Johnson, amending Chapter 2.20 of the LMC relating to the Fire Dept. by amending Sec. 2.20.010 to provide that the Fire Chief have care & control of all equipment & management of the emergency medical services program; adding a new section numbered 2.20.015 to provide that emergency medical services & ambulance transport be assigned to the Fire Dept.; & repealing Sec. 2.20.010 of the LMC as hitherto existing, the third time.

SPECIAL PERMITS

SPECIAL PERMIT 494E - APP. OF WILLIAM GORDON, EDWARD LAST, & STEPHEN RAVITZ TO AMEND THE HARBOUR WEST C.U.P. TO ADD 10 MOBILE HOME UNITS, WITH ASSOCIATED WAIVERS OF DESIGN STANDARDS FOR REDUCED SPACING BETWEEN MOBILE HOME UNITS, REDUCED EXTERIOR SETBACKS, & LANDSCAPE SCREENING REQUIREMENT, ON PROPERTY GENERALLY LOCATED AT S.W. 11TH & W. PEACH STS. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80255 WHEREAS, William Gordon, Edward Last & Stephen Ravitz have submitted an application designated as Special Permit 494E for authority to develop an existing mobile home court & the addition of 10 mobile home units therein under a community unit plan on property located at S.W. 11th St. & W. Peach St., & legally described to wit:

Lot 221 & a portion of Lot 213 I.T.'s located in the NW1/4 of Sec. 34, T10N, R6E of the 6th P.M., Lincoln, Lancaster County, Nebraska, more particularly described as:

Commencing at the SW1/4 of the N1/2 of said Sec. 34; thence north 00 degrees 05 mins. 45 secs. east (on an assumed bearing) for a distance of 40.00' to the point of beginning; thence north 00 degrees 05 mins. 45 secs. east, for a distance of 1290.89'; thence north 00 degrees 02 mins. 40 secs. east, for a distance of 269.72'; thence south 89 degrees 44 mins. 41 secs. east, for a distance of 329.70'; thence south 00 degrees 01 mins. 14 secs. east for a distance of 269.29'; thence south 89 degrees 49 mins. 14 secs. east, for a distance of 54.48'; thence south 00 degrees 05 mins. 33 secs. east, for a distance of 471.14'; thence on a curve to the left with an angle of 23 degrees 59 mins. 50 secs., a radius of 2034.86', a chord bearing of south 18 degrees 53 mins. 30 secs. east, a chord length of 846.04', for an arc distance of 852.26'; thence south 00 degrees 04 mins. 35 secs. west, for a distance of 18.07'; thence north 90 degrees 00 mins. 00 secs. west, for a distance of 661.31' to the point of beginning & containing 15.535 acres more or less;

WHEREAS, the real property adjacent to the area included within the site plan for this community unit plan & mobile home court will not be adversely affected; &

WHEREAS, said site plan together with the terms & conditions hereinafter set forth are consistent with the intent & purpose of Title 27 of the LMC to promote the public health, safety, & general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of William Gordon, Edward Last & Stephen Ravitz, hereinafter referred to as "Permittee", to develop an existing mobile home court & the addition of 10 mobile home units therein under a community unit plan, on the property legally described above, be & the same is hereby granted under the provisions of Secs. 27.63.120 & 27.63.320, & Chapter 27.65 of the LMC upon condition that construction & operation of said community unit plan & mobile home court be in strict compliance with said application, the site plan, & the following additional express terms, conditions, & requirements:

1. This permit approves an additional ten dwelling units for a total of 77 dwelling units within the boundary of the Harbour West Meadows Mobile Home Park & Community Unit Plan.

2. Before receiving building permits the Permittee must submit a revised & reproducible plan.

3. The construction plans must conform to the approved plans.

4. The requirement of Sec. 27.63.120(c) of the LMC that 25' shall be maintained between mobile homes is reduced from 25' to 20'.

5. The requirement of Sec. 27.63.120(d) of the LMC that no mobile home court shall be located closer than 50' to any exterior property line is reduced as follows:

- a. From 50' to 40' along the east property line.
- b. From 50' to 34' along the north property line.
- c. From 50' to 15' along the west property line abutting mobile home sites 262 & 265.
- d. From 50' to 29' along the west property line abutting mobile home site 266.
- e. From 50' to 39' along the west property line abutting mobile home sites 267 & 268.

6. The requirement of the Design Standards for Mobile Home Courts requiring landscaping along each side of the mobile home court is waived along the north & west limits of the application.

7. Before placing any units in this mobile home court, all development & construction must be completed in conformance with the approved plans.

8. All privately-owned improvements, including landscaping & recreational facilities, shall be permanently maintained by the Permittee.

9. The terms, conditions, & requirements of this resolution shall be binding & obligatory upon the Permittee, their successors, & assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

10. The Permittee shall sign & return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit & the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SPECIAL PERMIT 1817 - APP. OF TIME WARNER TO CONSTRUCT A CABLE TELEVISION BUILDING, A WAIVER OF DRIVEWAY DESIGN STANDARDS TO REDUCE THE MINIMUM SEPARATION BETWEEN THE DRIVEWAY & THE WEST CURB LINE OF PROPOSED 84TH ST. FROM 55' TO 52', & A WAIVER TO THE DRIVEWAY DESIGN STANDARDS TO REDUCE THE MINIMUM DRIVEWAY WIDTH FROM 25' TO 18', ON PROPERTY GENERALLY LOCATED AT S. 84TH ST. & KARL RIDGE RD. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80256 WHEREAS, Time Warner has submitted an application designated as Special Permit 1817 for authority to construct a cable television building on property located at S. 84th St. & Karl Ridge Rd, & legally described to wit:

The remaining portion of Lot 4, Trendwood 22nd Add., Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this cable television building will not be adversely affected; &

WHEREAS, said site plan together with the terms & conditions hereinafter set forth are consistent with the intent & purpose of Title 27 of the LMC to promote the public health, safety, & general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of Time Warner, hereinafter referred to as "Permittee", to construct a cable television building, on the property legally described above, be & the same is hereby granted under the provisions of Sec. 27.63.225 of the LMC upon condition that construction & operation of said cable television building be in strict compliance with said application, the site plan, & the following additional express terms, conditions, & requirements:

1. This permit approves a building to be used for cable television purposes.

2. A waiver of the driveway design standards to reduce the minimum separation between the driveway & the west curb line of proposed 84th St. from 55' to 52' is hereby approved.

3. A waiver of the driveway design standards to reduce the minimum driveway width from 25' to 18' is hereby approved.

4. Before receiving building permits:

a. The Permittee must request & receive approval of an administrative amendment to remove this land area from the Trendwood Community Unit Plan.

b. The construction plans must conform to the approved plans.

5. Before occupying the building, all development & construction must be completed in conformance with the approved plans.

6. All privately-owned improvements including landscaping shall be permanently maintained by the Permittee.

7. The site plan approved by the permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking & circulation elements, & similar matters.

8. The terms, conditions, & requirements of this resolution shall be binding & obligatory upon the Permittee, its successors, & assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

9. The Permittee shall sign & return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit & the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

10. The site plan as approved with this resolution voids & supersedes all previously approved site plans on this site.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SPECIAL PERMIT 1843 - APP. OF LORA BELLE M. HANSON FOR AUTHORITY TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES, APPROVING A WAIVER OF THE DESIGN STANDARDS REQUIRING A MINIMUM SEPARATION DISTANCE OF 100' FROM A RESIDENTIAL DISTRICT OR RESIDENTIAL USE, & APPROVING A WAIVER OF THE

DESIGN STANDARDS PROHIBITING DOORS FROM FACING RESIDENTIAL DISTRICTS WITHIN 150', AT 2620 STOCKWELL ST. - PRIOR to reading:

COOK Moved to place Bill 00R-178 on Pending.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

ACTION DEFERRED TO JULY 3, 2000 - RE: SPECIAL PERMIT NO. 1165A - TO SHOW CAUSE WHY SAID SPECIAL PERMIT SHOULD NOT BE REVOKED FOR FAILURE TO COMPLY WITH THE CONDITIONS OF THE SPECIAL PERMIT (1301 "H")- PRIOR to reading:

COOK Moved that the Permittee was in compliance with the conditions of the Special Permit & the Special Permit should not be revoked.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

PETITIONS & COMMUNICATIONS

PETITION TO VACATE PUBLIC WAY IN W. "N" ST. FROM CODDINGTON GOING WEST APPROX. 300' SUBMITTED BY DENNIS & MARY BADE - CLERK presented said petition which was referred to the Law Dept.

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT.:

Use Permit 64A - App. of Kensington Corp. to construct a commercial office park at S. 16th St. & Old Cheney Rd.

Use Permit 126A - App. of Ridge Development, Large Partnership Ltd., & Southview, Inc. to reduce the rear setback, within Lot 4 only, from 40' to 30' which is adjacent to the golf course & to adjust the height restriction from 35' to 45' for the building within Lot 4 only, to be restricted to the center entrance skylight portion.

Use Permit 131 - App. of Krein Real Estate to develop office/medical space on property generally located at S. 56th St. & Waltz Rd.

Change of Zone 3267 - App. of Gardens Complex, L.L.C. for a change from H-2 to O-2 on property at 4401 & 4436 "O" St.

Change of Zone 3269 - App. of Krein Real Estate for a change from R-1 to R-T on property generally located at S. 56th St. & Waltz Rd.

Special Permit 1852 - App. of LCV, Inc. for sale of beer & wine on property generally located at 3211 S. 13th St.

Special Permit 1853 - App. of Stephen Forbes to allow wireless transmission equipment on building rooftop on property generally located at 4720 Randolph St.

Special Permit 1855 - App. of Krein Real Estate to develop a planned service commercial project on property at S. 56th St. & Waltz Rd.

Special Permit 1856 - App. of Marsha Stork to operate a domiciliary care facility/assisted living for elderly residents on property generally located at the southwest corner of S. 84th & Mandarin Cir.

Special Permit 1776A - App. of Paul Pfundt aka PLP, Inc. for expansion of liquor sales for Sun Valley Bar & Grill at Sunvalley Blvd. & W. P St.

REPORTS TO CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON JUNE 19, 2000 - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80261 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed & approved, & the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments beginning 06/23/00)

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED MAY 31, 2000 - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80262 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That during the month ended May 31, 2000, \$247,970.82 was earned

from short-term investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund & allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

REPORTS FROM CITY TREASURER OF TELECOMM. OCC. TAX AS FOLLOWS: **JAN. - MARCH, 2000:** Zenex Long Distance; **MAY, 2000:** Sprint Spectrum, Intellicall Operator, Airtime SMR, USA Paging, ATS Mobile Telephone, Shaffer Comms., AT&T Comms. of the Midwest, Telco Development Group, & NETtel Corp. - CLERK presented said report which was placed on file in the Office of the City Clerk.
(20)

ORDERING PAVING DIST. 2618 CONSTRUCTED IN 33RD ST. FROM SUPERIOR ST. NORTH TO APPROX. MERIDIAN DR. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80254 WHEREAS a majority petition has been submitted by the owners of record title of property located within Paving District No. 2618, being 33rd St. from Superior St. North to approximately Meridian Drive, & said petitions have been approved & accepted by previous action of this City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That streets in said district are hereby ordered paved, & the paving material in said paving district is hereby designated as asphaltic concrete or Portland cement concrete; &

BE IT FURTHER RESOLVED that the Department of Public Works is hereby authorized & directed to proceed with the preparation of detailed plans & specifications & to obtain bids for the said paving work in accordance with this resolution.

BE IT STILL FURTHER RESOLVED that, in the event that the actual bid price exceeds 25 percent over the preliminary cost estimate for the improvements, then such bid shall not be awarded until the Council has approved such bid by resolution.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

ACCEPTING THE REPORT OF NEW & PENDING TORT CLAIMS AGAINST THE CITY & APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF JUNE 1 - 15, 2000 - - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80257 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the claims listed in the attached report, marked as Exhibit "A", dated June 16, 2000, of various new & pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED</u>		<u>ALLOWED</u>	
Ida M. Epps	\$ 415.20	Lisa Terry	\$ 140.00
Patricia L. Cave	1,403.92	Velora Coleman	193.00
Brady M. Fritz	50.00	Sutter Place Partners	1,045.29
Scott Wilde	1,986.14	Jason C. Wilson	1,100.00
Jan Lyon	254.72	LaTonya Weaver (Darius	
Russ Zywiec	55.00	Roberts & Francis Roberts)	900.00
		Valerie Patterson (Bobby	
		Weaver)	500.00
		Ollie Weaver (Jordan King,	
		Daniel King & George	
		Weaver)	800.00

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

OTHER RESOLUTIONS

APP. OF LANCE BROWN DBA STUDIO 14 FOR A CLASS I LIQUOR LICENSE AT 1415 "O" ST. - PRIOR to reading:

SENG Moved to continue Public Hearing & to delay Action for 1 week to 7/10/00.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APP. OF ELLEVEN CORP. FOR A SDL TO COVER AN AREA MEASURING 120' BY 70' TO THE SOUTH OF THE NBC CENTER BUILDING AT 1248 "O" ST. ON JULY 7, 2000 FROM 4:00 P.M. TO ~~7:30~~ 8:00 P.M. - PRIOR to reading:

JOHNSON Moved to amend the application's ending time from 7:30 p.m. to 8:00 p.m.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

CLERK Read the following resolution, introduced by Jon Camp, who moved its adoption:

A-80248 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, & the pertinent City ordinances, the City Council recommends that the App. of Elleven Corp. for a SDL to cover an area measuring 120' by 70' to the south of the NBC Center Building at 1248 "O" St., Lincoln, Nebraska, on the day of 7th day of July, 2000, between the hours of 4:00 p.m. & ~~7:30~~ 8:00 p.m., be approved with the condition that the premise complies in every respect with all City & State regulations & with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng; NAYS: Shoecraft.

APP. OF LINCOLN ROTARY CLUB #14 TO CONDUCT A RAFFLE WITHIN THE CITY OF LINCOLN - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80249 WHEREAS, Lincoln Rotary Club #14 has made application for a permit to conduct a raffle in the City of Lincoln pursuant to Chapter 9.32 of the LMC; &

WHEREAS, said application complies with all of the requirements of Sec. 9.32.030 of the LMC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That, after public hearing duly had as required by Sec. 9.32.050 of the LMC, the City Council does hereby grant a permit to Lincoln Rotary Club #14 to conduct a raffle in the City of Lincoln in accordance with the application filed by Roger Watton. The City Clerk is directed to issue a permit upon the payment by the applicant of the required fee, said permit to be valid only for the specific lotteries described in said application & only for a period of one year from the date of approval of this resolution. Said permit shall be subject to all of the conditions & requirements of Chapter 9.32 of the LMC.

BE IT FURTHER RESOLVED that pursuant to Sec. 9.32.080 of the LMC, a tax of 5% is imposed upon the gross proceeds received from the sale of raffle chances or tickets within the City of Lincoln, which tax shall be due no later than sixty (60) days after the conclusion of each raffle to be conducted hereunder, & if unpaid at that time, shall thereafter be delinquent.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

REAPPOINTING BARRY MOORE TO THE LINCOLN AREA AGENCY ON AGING ADVISORY COUNCIL FOR A 3-YR. TERM EXPIRING JULY 1, 2003 - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80250 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

REGULAR MEETING
JULY 3, 2000
PAGE 176

That the reappointment of Barry Moore to the Lincoln Area Agency on Aging Advisory Council for a three-year term expiring July 1, 2003 is hereby approved.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPOINTING GEORGE ROWE TO THE LINCOLN AREA AGENCY ON AGING ADVISORY COUNCIL A 3-YR. TERM EXPIRING JULY 1, 2003 - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80251 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of George Rowe to the Lincoln Area Agency on Aging Advisory Council for a three-year term expiring July 1, 2003 is hereby approved.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPOINTING JUSTIN MA & JEREMY LACHANCE AS STUDENT MEMBERS OF THE PARKS & REC. ADVISORY BOARD FOR A TERM OF 1 YR. FROM JULY 1, 2000 THROUGH JUNE 30, 2001 - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80252 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Justin Ma & Jeremy Lachance to the Parks & Recreation Advisory Board for a one-year term expiring June 30, 2001 is hereby approved.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING THE APPOINTMENT OF LYNN JOHNSON AS DIRECTOR OF THE PARKS & REC. DEPT. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80253 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Lynn K. Johnson to the position of Director of Parks & Recreation of the City of Lincoln effective July 3, 2000, is hereby approved.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

REAPPOINTING KATHY ESPEJO TO THE CITY PERSONNEL BOARD FOR A 5-YR. TERM EXPIRING ON JUNE 22, 2005 - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80258 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the reappointment of Kathy Espejo to the City Personnel Board for a five-year term expiring June 22, 2005 is hereby approved.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

ORDINANCES - 1ST & 2ND READING

AMENDING SECS. 2.18.020 & 2.18.030 OF THE LMC TO INCREASE THE ALLOWED LIMIT FOR PURCHASE OF SUPPLIES & EQUIPMENT BY DEPARTMENTS WITHOUT UTILIZING THE PURCHASING DIV. & THE PROCESS PROVIDED THEREFOR FROM \$500 TO \$1,500 - CLERK read an ordinance, introduced by Cindy Johnson, amending Chapter 2.18 of the LMC by amending Secs. 2.18.020 & 2.18.030 of the LMC to increase the allowed limit for purchase of supplies & equipment by departments without utilizing the Purchasing Div. & the process provided therefore from \$500 to \$1,500; & repealing Secs. 2.18.020 & 2.18.030 of the LMC as hitherto existing, the first time.

AMENDING CHAPTER 8.08 OF THE LMC, THE AMBULANCE TRANSPORTATION CODE, BY AMENDING SEC. 8.08.050 TO ALLOW EXTENSIONS OF CERTIFICATES OF PUBLIC CONVENIENCE & NECESSITY UNDER CIRCUMSTANCES AS DEFINED IN SEC. 8.08.051 & ADDING A NEW SECTION NUMBERED 8.08.051 TO ALLOW AN EXTENSION OF A CURRENT CERTIFICATE OF PUBLIC CONVENIENCE & NECESSITY FOR A PERIOD NOT TO EXCEED TWO YEARS - PRIOR to reading:

MCROY Made the motion "Shall the bill be rejected?" (per Rule 3-2 of the City Council Policy).

Seconded by Cook & carried by the following vote: AYES: Cook, McRoy, Seng, Shoecraft; NAYS: Camp, Fortenberry, Johnson.

CLERK Read an ordinance, introduced by Jon Camp, amending Chapter 8.08 of the LMC, the Ambulance Transportation Code, by amending Sec. 8.08.050 to allow extensions of Certificates of Public Convenience & Necessity under circumstances as defined in Sec. 8.08.051; by adding a new section numbered 8.08.051 to allow an extension of a current Certificate of Public Convenience & Necessity for a period not to exceed two years; & repealing Sec. 8.08.050 of the LMC as hitherto existing, the first time.

AMENDING SEC. 2.76.160 OF THE LMC TO PROVIDE THAT THE DIRECTOR OF PERSONNEL, WITH THE MAYOR'S APPROVAL, MAY GRANT EMPLOYEES IN PAY RANGES PREFIXED BY "E" OR "M" PERMANENT SALARY INCREASES WITHIN THE EMPLOYEE'S PAY RANGE OTHER THAN ON AN EMPLOYEE'S NORMAL ELIGIBILITY DATE WHEN THE EMPLOYEE'S DEPT. HEAD PRESENTS WRITTEN EVIDENCE OF UNUSUAL CIRCUMSTANCES - CLERK read an ordinance, introduced by Jeff Fortenberry, amending Sec. 2.76.160 of the LMC to provide that the Director of Personnel, with the Mayor's approval, may grant employees in pay ranges prefixed by "E" or "M" permanent salary increases within the employer's pay range other than on an employee's normal eligibility date when the employee's department head presents written evidence of unusual circumstances; & repealing Sec. 2.76.160 of the LMC as hitherto existing, the second time.

RENAMING ASHBROOK CIR. AS "ASHBROOK DR." IN THE STEVENS RIDGE 1ST ADD. GENERALLY LOCATED AT STEVENS RIDGE RD. & ASHBROOK CIR. - CLERK read an ordinance, introduced by Jeff Fortenberry, changing the name of Ashbrook Cir. to Ashbrook Dr. located south from Stevens Creek Rd. in Stevens Ridge 1st Add., as recommended by the St. Name Committee, the second time.

VACATING A PORTION OF THE S. 11TH ST. ADJACENT TO LOT 2, VAN BOSKIRK ADD., GENERALLY LOCATED AT 11TH & B STS. - CLERK read an ordinance, introduced by Jeff Fortenberry, vacating a portion of the South 11th St. right-of-way, & retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

VACATING A PORTION OF N. 18TH ST. BETWEEN Q & R STS. - CLERK read an ordinance, introduced by Jeff Fortenberry, vacating a portion of N. 18th St. between Q & R Sts., & retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

VACATING A PORTION OF "E" ST. FROM THE WEST RIGHT-OF-WAY LINE OF S. 27TH ST. TO A LINE 145' WEST THEREOF - CLERK read an ordinance, introduced by Jeff Fortenberry, vacating a portion of "E" St. west from 27th St., & retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

CHANGE OF ZONE 3261 - APP. OF THE PARKS & RECREATION DEPT. FOR A CHANGE FROM R-3 RESIDENTIAL TO P PUBLIC USE ON PROPERTY GENERALLY LOCATED AT N. 14TH & SUPERIOR STS. - CLERK, introduced by Jeff Fortenberry, amending the Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the second time.

CHANGE OF ZONE 3262 - APP. OF THE PARKS & RECREATION DEPT. FOR A CHANGE FROM R-1 RESIDENTIAL TO P PUBLIC USE ON PROPERTY GENERALLY LOCATED 1/2 MILE NORTH OF PINE LAKE RD. & WEST OF S. 14TH ST. - CLERK read an ordinance, introduced by Jeff Fortenberry, amending the Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the second time.

AMENDING SEC. 26.11.010 OF THE LMC TO ALLOW SURPLUS PROPERTY TO BE CONVEYED TO THE ABUTTING PROPERTY OWNER WITHOUT BEING REQUIRED TO COMPLY WITH THE OTHERWISE APPLICABLE REQUIREMENTS OF THE SUBDIVISION ORDINANCE - CLERK read an ordinance, introduced by Jeff Fortenberry, amending Sec. 26.11.010 of the LMC to allow surplus property to be conveyed to the abutting property owner without being required to comply with the otherwise applicable requirements of the Subdivision Ordinance; & repealing Sec. 26.11.020 of the LMC as hitherto existing, the second time.

APPROVING A LEASE OF SPACE FOR THE CITY OF LINCOLN AT 620 N. 48TH ST. FOR A TERM OF SEPT. 1, 2000 THROUGH AUG. 31, 2005 - CLERK read an ordinance, introduced by Jeff Fortenberry, accepting & approving a Lease Agreement between The 3 Amigos Properties, L.L.C. & the City of Lincoln for a lease of space at 620 N. 48th St., Lincoln, Lancaster county, Nebraska for a term of Sept. 1, 2000 through Aug. 31, 2005 for use by the Lincoln Police

Dept., the second time.

MISCELLANEOUS BUSINESS

PENDING LIST -

APPROVING OR DENYING A REQUESTED TRANSFER OF THE CABLE TELEVISION FRANCHISE FROM A SUBSIDIARY OF TIME WARNER INC. TO AOL TIME WARNER INC. (5/15/00 - PLACED ON PENDING - SCHEDULED FOR PUBLIC HEARING WHEN REMOVED FROM PENDING):

CAMP Moved to remove Bill 00R-126 from Pending for Public Hearing & Action on 7/10/00.

 Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

CAMP Moved to extend the Pending List for 1 week.

 Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on July 10, 2000.

 Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

ADJOURNMENT

4:14 P.M.

CAMP Moved to adjourn the City Council Meeting of July 3, 2000.

 Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

So ordered.

Paul A. Malzer, Jr., City Clerk

Teresa J. Meier-Brock, Office Assistant III